

RECEIVED  
IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

2007 MAY 25 PM:08  
UNITED STATES OF AMERICA ) CR.NO. 1:07cr 114-SRW  
 ) [18 USC 13; Code of Ala.  
 ) 32-5A-191(a)(1)(2)]  
V. )  
JOHNSON, MARC K. ) INFORMATION

The United States Attorney charges:

On or about the 1<sup>ST</sup> of September 2006, at Fort Rucker, Alabama, in the Middle District of Alabama, MARC JOHNSON, did unlawfully operate a motor vehicle while there was 0.16 percent or more by weight of alcohol in his blood and did unlawfully operate a motor vehicle while under the influence of alcohol in violation of Title 32, Section 5A-191(a)(1) and (2), Code of Alabama 1975, and Title 18, Section 13, United States Code.

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

Kent Brunson  
KENT B. BRUNSON  
ASSISTANT U.S. ATTORNEY

Nathan T. Golden  
NATHAN T. GOLDEN  
SPECIAL ASSISTANT U.S. ATTORNEY  
VA BAR NO. 48323  
Office of the Staff Judge Advocate  
Soldier Service Center, Building 5700  
Fort Rucker, Alabama 36362-5000  
(334) 255-9708

STATE OF ALABAMA ) AFFIDAVIT  
 )  
DALE COUNTY )

The undersigned, being first duly sworn, deposes and says:

I am a Military Policeman at Fort Rucker, Alabama. On the 1<sup>ST</sup> of September 2006, I observed a vehicle traveling at a high rate of speed, 42/30 MPH zone. I initiated a traffic stop, and upon making contact with the driver, I detected a strong odor of alcohol emitting from the driver. The driver was identified as MARC K. JOHNSON. JOHNSON was asked to perform three field sobriety tests, all of which he failed. JOHNSON was apprehended and taken to the MP Station, where he was advised of the Alabama implied consent law. JOHNSON was administered a breathalyzer test, which registered a .16 BAC. JOHNSON was then processed and released. In my opinion as a law enforcement officer, Mr. JOHNSON was under the influence of alcohol.

Charles W. Bateman  
BATEMAN, CHARLES W, PFC, U.S. ARMY

Subscribed and sworn to (or affirmed) before me on this 8<sup>th</sup> day of May 2007.

Patricia J. Davis  
NOTARY PUBLIC

My commission expires: 13 DEC 2010